

Remarks/Arguments:

Claims 1-50 are pending and stand rejected.

By this Amendment, claims 1-3, 34, 39-40, 45 and 47-49 are amended, and new claims 51-57 are added.

No new matter is presented by the claim amendments and new claims. Support for the claim amendments and new claims can be found throughout the original specification and, for example, in the original specification at paragraphs [0012] [0025], [0046], [0057] - [0059], [0065], [0075] and [0207].

It is noted for the Examiner that the Attorney Docket No. has changed from "37861-193972" to --AFSI-100US--. Applicants respectfully request that the Examiner update the Attorney Docket No. to reflect this change.

Rejection of Claims 1-5, 12-16, 25, 27-30, 32, 34, 43-48 and 50 under 35 U.S.C. §102(e)

In the Office Action, at item 2, claims 1-5, 12-16, 25, 27-30, 32, 34, 43-48 and 50 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Terashima et al. (U.S. Patent Publication No. 2003/0065600, hereafter referred to as Terashima).

Claim 1

Claim 1 is directed to a risk management system for assessing a risk of a loan to a borrower, and recites:

... a loan policy system comprising a loan policy, the loan policy comprising a set of rules ...

a risk system in communication with the loan policy system and the risk data system, the risk system adapted to process data from the loan policy system and the risk data system for the purpose of performing risk assessment regarding the loan to the borrower ...

That is, the risk management system includes a loan policy system having a loan policy and the risk system is adapted to process data for the purpose of performing risk assessment regarding the loan to the borrower.

Terashima Reference

In the Office Action, at page 2, the Examiner contends that Terashima teaches:

a loan policy system comprising a loan policy, a loan policy comprising a set of rules (see paragraph 0076, lines 1-4) ... a risk system in communication with the loan policy system and the risk data system, the risk system adopted to process data from the loan policy system and the risk data system for the purpose of

performing the risk assessment; and (see paragraph 0009, lines 2-6) ...

Applicants respectfully disagree with the Examiner regarding the Examiner's contention. More particularly, Terashima, at the portion cited by the Examiner, discloses a securities selection support unit including an investment risk information storing section 21, an issue group storing section 22, a characteristic indication message storing section 23, a base issue group selecting section 24, a proposed investment securities selecting section 25, a compound investment risk calculating section 26, a risk standard value calculating section 27, a deviation calculating section 28, a message outputting section 29, and a comparative diagram outputting section 30. Thus, at paragraph [0075] of Terashima, a securities selection support unit and its various subunits are disclosed. Terashima, however, is silent regarding a loan policy system or a loan policy. This is because, Terashima merely contemplates the use of a securities selection support unit for securities which are different from loans (e.g., for which loan parameters may be controllable by a lender). More particularly, claim 1 includes the feature of a risk management system for assessing a risk of a loan to a borrower and furthermore, that the risk assessment is performed in regard to "the loan to the borrower," as required by claim 1. Terashima does not contemplate the use of a risk system for loans. It is noted for the Examiner, that an electronic search of the word "loan" was conducted for the Terashima reference. The only occurrence of the word "loan" in Terashima occurs at paragraph [0185] and is a reference to loaned stock (i.e., loaned securities).

Accordingly, it is submitted that claim 1 patentably distinguishes over Terashima for at least the above-mentioned reasons.

Claim 45

Claim 45, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Terashima for at least similar reasons to those described above regarding claim 1.

Claims 2-5, 12-16, 25, 27-30, 32, 34, 43-44, 46-48 and 50

Claims 2-5, 12-16, 25, 27-30, 32, 34, 43-44, 46-48 and 50, which include all of the features of claim 1 or claim 45, are submitted to patentably distinguish over Terashima for at least the same reasons as described above regarding claim 1 or claim 45.

Rejection of Claims 6-10, 17-24, 26, 31, 39-41 and 49 under 35 U.S.C. §103(a)

In the Office Action, at item 28, claims 6-10, 17-24, 26, 31, 39-41 and 49 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Terashima in view of Russell et al. (U.S. Patent Publication No. 2002/019412, hereafter referred to as Russell).

Reconsideration is respectfully requested.

Claims 6-10, 17-24, 26, 31, 39-41 and 49 which include all of the features of claim 1 or claim 45, are submitted to patentably distinguish over Terashima for at least the same reasons as claim 1 or claim 45.

The addition of Russell does not overcome the deficiencies of Terashima. This is because, Russell does not disclose or suggest "a loan policy system comprising a loan policy, the loan policy comprising a set of rules ... at least one risk data system in communication with the loan policy system ... [and] a risk system in communication with the loan policy system and the risk data system," (brackets added) as required by claim 1 and similarly by claim 45. Instead, Russell discloses a system for supplying and managing a financial services product application and evaluation that provides interactive consultation and customer feedback to allow customer adjustment of parameters relative to particular financial services products or groups of products to maximize customer exposure to the fullest possible range of financial service products for which the customer is eligible. (See Russell at paragraph [0020].) Russell contemplates consumer credit products such as home mortgages. The Russell system can be configured to utilize a standard credit evaluation engine such as Fanny Mae's Desktop Underwriter (in conjunction with other appropriate credit evaluation systems). (See Russell at paragraph [0021].) Russell further discloses that the system includes a credit-related database for uploading rates and points from mortgage providers. (See Russell at paragraph [0041] and [0045].) This database, however, is not a risk data system because it merely stores rates and points of many mortgage providers (i.e., does not store risk data). In Russell, a plurality of sets of business rules can provide added functionality. When the financial services product includes a consumer mortgage, a first set of business rules could comprise rules evaluating interrelationships among attributes such as loan amount, state in which a property is situated, and owner occupancy. Russell further discloses that a second set of business rules may be viewed in aggregate as a risk engine and may comprise credit worthiness rules promulgated by the FNMA's Fanny Mae's Desktop Underwriter System. These industry standard credit evaluation programs determine, based on a customer's individual financial data inputs, as well as property inputs whether a customer is eligible for a loan for a particular principal value, down payment, credit rate and points. Although Russell discloses the use of a risk engine, Russell is silent regarding a loan policy system, a risk data system and a risk system such that the risk data system is in communication with the loan policy system and the risk system is in communication with the loan policy system and the risk data system. That is, such a structure and operation is not disclosed or suggested by Russell. Furthermore, it is noted for the

Examiner that Russell does not include any figures to provide details of subcomponents of the risk engine.

Accordingly, claims 6-10, 17-24, 26, 31, 39-41 and 49, which include all of the features of claim 1 or claim 45, are submitted to patentably distinguish over Terashima in view of Russell for at least the above-mentioned reasons.

Rejection of Claim 11 under 35 U.S.C. §103(a)

In the Office Action, at item 48, claim 11 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Terashima in view of Regan (U.S. Patent No. 6,898,574).

Reconsideration is respectfully requested.

Claim 11, which includes all of the features of claim 1, is submitted to patentably distinguish over Terashima for at least the same reasons as claim 1.

The addition of Regan does not overcome the deficiencies of Terashima. This is because, Regan does not disclose or suggest the structure and operation of the risk management system (i.e., a loan policy system, at least one risk data system, and a risk system in communication as defined in claim 1). Instead, Regan discloses a system which provides lenders or insurers on-line processing of transactions via a central data repository with links to various private and public agencies to provide timely on-line access or links to a variety of information, instructions, documents and databases to authorized agents or persons involved in the transaction that may be located over a wide geographical area. (See Regan at column 2, lines 8-16.) In Regan, an Adjudication Module 185 uses conventional adjudication processes (e.g., credit scoring, risk rating). This information is communicated to, for example, the lender or insurers computer system 41 or 39 via the communication network 20. The Adjudication Module 185 of Regan performs a search of credit bureau databases, such as EQUIFAX, to verify the current credit status or confirm the credit history of the applicant. (See Regan at column 6, lines 16-21 and 60-65.) Regan, however, is silent regarding any structural details of the Adjudication Module 185 and, more particularly, does not disclose or suggest, for example, "a risk system in communication with a loan policy system and the risk data system," and furthermore, "at least one risk data system in communication with the loan policy system," as required by claim 1.

Accordingly, claim 11, which includes all of the features of claim 1, is submitted to patentably distinguish over Terashima in view of Regan for at least the above-mentioned reasons.

Rejection of Claims 33, 35-38 and 42 under 35 U.S.C. §103(a)

In the Office Action, at item 50, claims 33, 35-38 and 42 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Terashima in view of Lawrence et al. (U.S. Patent Publication No. 2002/0138407, hereafter referred to as Lawrence).

Reconsideration is respectfully requested.

Claims 33, 35-38 and 42, which include all of the features of claim 1, are submitted to patentably distinguish over Terashima for at least the same reasons as claim 1.

The addition of Lawrence does not overcome the deficiencies of Terashima. This is because, Lawrence does not disclose or suggest the structure and operation of the risk management system defined in claim 1 (i.e., a loan policy system, at least one risk data system and a risk system communicating as defined in claim 1). This is because, Lawrence which is directed to a computerized risk management system, maintains a database relating to risk variables including world events, government advisories and, other information sources with potential risk for a financial institution. A rating system is used to access risk based on criteria such as risk advisories, historical data and/or interpretation of world events. Lawrence, however, is silent regarding loans and, more particularly, is silent regarding a loan policy system comprising a loan policy which is in communication with both a risk data system and a risk system. It is noted for the Examiner that a search of the Lawrence reference shows that Lawrence does not include the words "loan," "lender" or "borrower." Thus, Lawrence does not contemplate a risk management system to provide risk assessment of such loans.

Claims 33, 35-38 and 42, which include all of the features of claim 1, are submitted to patentably distinguish over Terashima in view of Lawrence for at least the above-mentioned reasons.

New Claims 51-56

New claims 51-56, which include all of the features of claim 1, are submitted to patentably distinguish over the cited art for at least the same reasons as described above regarding claim 1.

Claim 51 includes patentable distinctions beyond those of claim 1, namely: "the data from the loan policy system and the risk data system includes data derived after perfection of the loan, as post-perfection data; and the risk system includes a risk rule engine for comparing the post-perfection data with the loan policy to generate a risk event," (emphasis added).

Claim 52 includes patentable distinctions beyond those of claim 51, namely: "the risk system includes an event filter to filter real-time data of the event information for

predetermined conditions, and selectively provide a portion of the event information to the risk rule engine," (emphasis added).

Claim 53 includes patentable distinctions beyond those of claim 1, namely: "the risk system generates risk events based on the data from the loan policy system and the risk data system and the risk management system stores the generated risk events," (emphasis added).

Claim 54 includes patentable distinctions beyond those of claim 53, namely: "the risk system generates different levels of risk events by comparing the data from the loan policy system and the risk data system with the loan policy such that at least one of the different levels of the risk events causes the risk management system to operate in a different mode from the remaining ones of the different levels of the risk events," (emphasis added).

Claim 55 includes patentable distinctions beyond those of claim 53, namely: "the different levels of the risk events include: (1) a first level in which the risk management system operates to reject the loan based one or more deviations of the data from the loan policy system and the risk data system with the loan policy, and (2) a second level in which the risk management system generates an alert that the loan deviates from the loan policy," (emphasis added).

Claim 56 includes patentable distinctions beyond those of claim 54, namely: "responsive to a risk event of the second level being overridden by a user, the risk management system stores information identifying the risk event of the second level and at least one of information of the user or a corresponding override event," (emphasis added).

Claim 57 includes patentable distinctions beyond those of claim 1, namely: "the loan policy includes one or more rules based on a composite exposure of a lender for a portfolio of loans to the borrower and to other borrowers of the lender to generate a risk event based on a deviation from the loan policy," (emphasis added).

Consideration and approval of the new claims is respectfully requested.

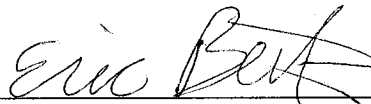
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AFSI-100US

Conclusion

In view of the claim amendments, new claims and remarks, Applicants submit the application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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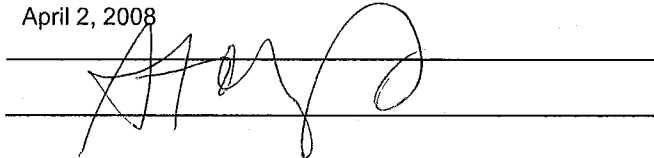
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April 2, 2008



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